

United States District Court
for the
District of South Carolina
Spartanburg Division

Robert Moss, et al.)
Plaintiffs)
)
v.) Civil Action No. 7:09-cv-1586:HMH
Spartanburg County School District)
No. 7, a South Carolina body politic)
and corporate)
Defendant)

PLAINTIFFS' MOTION TO REVISE AMENDED CONFERENCE
AND SCHEDULING ORDER

NOW COME Plaintiffs and respectfully move that the Court amend the Amended Conference and Scheduling Order, entered October 13, 2010 (dkt. 66), to provide that the date for exchanging Rule 26(a)(3) pretrial disclosures shall be March 4, 2011, or such later date as the Court shall select, and that the other dates in the Order be adjusted accordingly. In support of this motion, plaintiffs respectfully show:

1. All parties have moved for summary judgment and the briefing thereon has been completed. The Court has scheduled oral argument on all pending motions for February 9, 2011. The currently obtaining date for the parties to file their Rule 26(a)(3) pretrial submissions is February 4, 2011. If either motion for summary judgment is granted, that will obviate the need for pretrial submissions. Even if neither motion is granted, the Court may make a Rule 56(g) ruling that will alter the nature of the pretrial submissions.

2. Defendant does not oppose this motion.

Respectfully submitted, January 14, 2011.

s/ Aaron J. Kozloski
D.S.C. Bar. No. 9510
Capitol Counsel, L.L.C.
P.O. Box 1996
Lexington, SC 29071
Phone 803-748-1320
Fax 888-513-6021
Mobile 803-465-1400
Tel: 803-748-1320
Fax: 8-3-255-7074
Aaron@capitolcounsel.us

George Daly
(*pro hac vice*)
139 Altondale Avenue
Charlotte N.C. 28207
Tel: 704-333-5196
Gdaly1@bellsouth.net
N.C. Bar No. 1071

Attorneys for Plaintiffs